THE POONA UNIVERSITY ACT, 1948.

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SCHEDULE I.

SCHEDULE II.

BOMBAY ACT No. XX OF 1948.[1]

[THE POONA UNIVERSITY ACT, 1948.]

[*24th March 1948*]

Amended by Bom. 49 of 1948.
,, ,, ,, 59 of 1949.
,, ,, ,, 24 of 1950.*
Adapted and modified by the Adaptation of Laws Order, 1950.
Amended by Bom. 39 of 1951.
,, ,, ,, 18 of 1953.
,, ,, ,, 30 of 1954.

An Act to establish and incorporate a teaching and affiliating University at Poona.

WHEREAS it is expedient to establish and incorporate a teaching and affiliating University at Poona as a measure in the decentralization and re-organisation of University education in the Province of Bombay ; It is hereby enacted as follows :—

CHAPTER I.
PRELIMINARY.

Short title and commencement.

1. (*1*) This Act may be called the Poona University Act, 1948.
(*2*) This section shall come into force at once.
(*3*) The [2][State] Government may, by notification in the *Official Gazette* direct that all or any of the remaining provisions of this Act shall come into force on such date or dates as may be specified in the notification.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—
(*1*) " Affiliated " means affiliated under sections 5 and 33 ;
(*2*) " College " means a degree college or an intermediate college ;
(*3*) " Constituent " means made constituent under section 39 ;
(*4*) " Degree college " means an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University.,
(*5*) " High School " means a high school which has been recognized as a full fledged high school by the [3][Director of Education], Bombay [4][State], or by an officer authorised by him in this behalf or a high school situate outside the [4][State] of Bombay which has been registered by the University ;
(*6*) " Hostel " means a unit of residence for students maintained or recognised by the University under this Act ;
(*7*) " Intermediate college " means an affiliated college other than a degree college ;

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[1] For Statement of Objects and Reasons *see Bombay Government Gazette*, 1947, Part V, page 472.
[2] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950,
[3] These words were substituted for the words " Director of Public Instruction " by Bom. 18 of 1953, s. 3 and Second Schedule.
[4] This word was substituted for the word " Province " by the Adaptation of Laws Order, 1950.
*Section 4 of Bom. 24 of 1950 reads as under :—

Members from Municipalities in Satara District and from District Local Board, Satara, to cease to be members of Court.

4. The member elected by the District Local Board of the Satara District and the member elected by the municipalities in the Satara District shall cease to be members of the Court with effect from such date as the State Government may appoint in this behalf.

(*8*) " Poona area " means the area specified in Schedule I and such other contiguous areas as may, from time to time, be notified by the [1][State] Government in the *Official Gazette* ;

(*9*) " Principal " means the head of a college ;

(*10*) " Recognized institution " mean an institution for research or specialized studies other than an affiliated college and recognized as such by the University ;

(*11*) " Registered graduate " means a graduate registered under the provisions of this Act ;

(*12*) " Statutes ", " Ordinances " and " Regulations " mean respectively the Statutes, Ordinances and Regulations of the University made under this Act and for the time being in force ;

(*13*) " Teachers " means professors, readers, lecturers and such other persons imparting instruction in the University, an affiliated college or a recognized institution as may be declared to be teachers by the Statutes ;

(*14*) " Teachers of the University " means teachers appointed or recognized by the University for imparting instruction on its behalf ;

(*15*) " University " means the University of Poona constituted under this Act ;

(*16*) " University Area " means the areas specified in Schedule II ;

(*17*) " University Department " means any collegiate, post-graduate or research institution or department maintained by the University.

CHAPTER II.

THE UNIVERSITY.

Incorporation of the University.

3. (*1*) The Chancellor, the Pro-Chancellor (if any), the first Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council of the University and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of " The University of Poona ".

(*2*) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(*3*) The University shall be competent to acquire and hold property both moveable and immovable, to lease, sell or otherwise transfer any moveable or immovable property which may have become vested in or been acquired by it for the purposes of the University and to contract and to do all other things necessary for the purposes of this Act.

Powers of the University.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :—

(*1*) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit and to make provision for research and for the advancement and dissemination of knowledge ;

(*2*) to make such provision as will enable affiliated colleges and recognized institutions to undertake specialization of studies and to organize common laboratories, libraries, museums and other equipment for teaching and research ;

(*3*) to establish, maintain and manage colleges, departments and institutes of research or specialized studies ;

(*4*) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University ;

[1] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.

(*5*) to appoint or recognize persons as professors, readers or lecturers or otherwise as teachers of the University ;

(*6*) to institute degrees, titles, diplomas and other academic distinctions ;

(*7*) to hold examinations and confer degrees, titles, diplomas and other academic distinctions on persons who—

(*a*) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations and have passed the examinations prescribed by the University, or

(*b*) have carried on research under conditions prescribed by the Ordinances and Regulations ;

(*8*) to confer honorary degrees, titles or other academic distinctions in the manner laid down by the Statutes ;

(*9*) to grant such diplomas to, and to provide such lectures, instruction and training, for persons not being enrolled students of the University as the University may determine by the Statutes, Ordinances and Regulations ;

(*10*) to admit educational institutions to the privileges of the University and to withdraw such privileges ;

(*11*) to inspect colleges and recognized institutions and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them ;

(*12*) to control and co-ordinate the activities of, and give financial aid to, constituent colleges and constituent recognized institutions ;

(*13*) to hold and manage endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*14*) to make special provision for the spread of University education among classes and communities which are educationally backward ;

(*15*) to make special provision for disseminating knowledge and promoting arts and culture in rural areas ;

(*16*) to fix, to demand and to receive such fees and other charges as may be prescribed by the Ordinances ;

(*17*) to establish, maintain and manage hostels ;

(*18*) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom ;

(*19*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare ;

(*20*) to make provision for the maintenance of—

(*a*) University Officers' Training Corps or other similar training Corps ;
(*b*) Students' Unions ;
(*c*) Sports and Athletic Clubs ; and
(*d*) Employment Bureaux ;

(*21*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine ; and

(*22*) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote arts, science and other branches of learning and culture.

Jurisdiction and admission to privileges.

5. (*1*) (*a*) No educational institution situate within the Poona area shall, save with the consent of the University and the sanction of the Provincial Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(*b*) No educational institution situate within the University area other than the Poona area shall, save with the sanction of the Provincial Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(*2*) Any such privileges enjoyed from such other University before the date on which this section comes into force by any educational institution situate within the University area shall be deemed to be withdrawn with effect from such date.

(*3*) With effect from such date all educational institutions admitted to the privileges of the University of Bombay and situate within the University area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act admit such institutions to all such privileges as they had from the University of Bombay immediately before such date.

(*4*) Any educational institution in the Province of Bombay situate outside the University area may, with the sanction of the Provincial Government, and any educational institution in an Indian State or other territories may apply to the University for being admitted to the privileges of the University and such institution may, subject to such conditions and restrictions as the University and the Provincial Government think fit to impose, be admitted to the privileges of the University.

University open to all irrespective of sex, religion, class, creed or opinion.

6. (*1*) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, title or other academic distinction or course of study on the sole ground of sex, race, creed, class, religious belief or political or other opinion:

Provided that the University may, subject to the previous sanction of the Provincial Government, maintain, affiliate or recognize any institution exclusively for women or reserve for women or members of classes and communities which are educationally backward places for the purposes of admission as students in any institution maintained by the University.

(*2*) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, class, religious belief or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma, title or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

Inspection and inquiry.

7. (*1*) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained, recognized by, or affiliated to, the University, of the teaching and other work conducted by the University and of the conduct of examinations held by the University; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(*2*) The Chancellor shall communicate to the Court and to the Executive Council his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Court and the Executive Council thereon, advise the University on the action to be taken.

(*3*) The Executive Council shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the Court thereon and within such time as the Chancellor may direct.

(*4*) Where the Executive Council does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall comply with such directions.

(*5*) The [1][State] Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in sub-sections (*1*) to (*3*) and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

CHAPTER III.

OFFICERS OF THE UNIVERSITY.

Officers of the University.

8. The following shall be the officers of the University, namely :—

(*i*) The Chancellor,

(*ii*) The Pro-Chancellor, if any,

(*iii*) The Vice-Chancellor,

(*iv*) The Deans of Faculties,

(*v*) The Registrar, and

(*vi*) Such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

The Chancellor.

9. (*1*) The Governor of Bombay for the time being shall be the Chancellor of the University :

Provided that the Chancellor shall be a person elected by the Court if the Court so decides after the expiry of the first five years from the date of the establishment of the University by a majority of not less than two-thirds of the total number of its members.

(*2*) If the Court so decides to elect a Chancellor, the manner of his election shall be prescribed by the Statutes.

(*3*) The Chancellor shall, by virtue of his office, be the head of the University and the president of the Court; and shall, when present, preside at meetings of the Court and at any convocation of the University.

(*4*) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

The Pro-Chancellor.

10. (*1*) The Court may create the office of the Pro-Chancellor by a Statute to be framed by a majority of not less than two-thirds of the total number of its members.

(*2*) If such office is created, it shall be filled by nomination to be made by the Chancellor.

(*3*) The Pro-Chancellor shall hold office for a term of three years.

[1] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

(*4*) The Pro-Chancellor shall exercise all the powers of the Chancellor in his absence or in the event of his being unable to perform the duties of his office.

The Vice-Chancellor.

11. (*1*) Subject to the confirmation of the Chancellor, the Vice-Chancellor shall be elected by the Court from among three persons recommended by [1][Executive Council.] [2]* * * * *

(*2*) The Vice-Chancellor shall hold office for a term of three years.

(*3*) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Executive Council shall, as soon as possible, subject to the approval of the Chancellor, make such arrangements for carrying on the duties of the office of the Vice-Chancellor as it may think fit. Until such arrangements are made, the Dean nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

(*4*) The Vice-Chancellor shall be an honorary officer but the Court may, by Statutes, make the office of the Vice-Chancellor a wholetime salaried office and determine the emoluments to be paid for such office and prescribe the conditions subject to which such office shall be held.

Powers of the Vice-Chancellor.

12. (*1*) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor and the Pro-Chancellor preside at meetings of the Court and any convocation of the University. He shall be an *ex-officio* member and the Chairman of the Executive Council, of the Academic Council and of the committees constituted under sections 46, 47 and 48. He shall be entitled to be present, with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(*2*) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council. He may delegate this power to any other officer of the University.

(*3*) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, Ordinances and Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(*4*) (*a*) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with the matter.

(*b*) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal through the said officer, authority or body to the Executive Council within fifteen days from the date on which such action is communicated to him.

(*5*) The Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, dismissal and suspension of the persons in the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and Ordinances.

(*6*) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

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[1] These words were substituted for the original by Bom. 30 of 1954, s. 2 (*1*).

[2] The words beginning with the words "Such recommendation" and ending with the words transferable vote" were deleted, *ibid.*, s. 2 (*2*).

13. The Registrar shall be a wholetime salaried officer and shall act as the Secretary of the Court, of the Executive Council and of the Academic Council. He shall be appointed by the Executive Council in accordance with the Statutes to be framed in this behalf; and his emoluments and conditions of service shall be determined by such Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations. The Registrar.

14. The powers and duties of the officers of the University referred to in clause (*vi*) of section 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations. Other officers.

CHAPTER IV.

AUTHORITIES OF THE UNIVERSITY.

15. The following shall be the authorities of the University, namely :— Authorities of the University.

(*i*) The Court,
(*ii*) The Executive Council
(*iii*) The Academic Council,
(*iv*) The Faculties,
(*v*) The Boards of Studies,
(*vi*) The Board of University Teaching in Poona, and
(*vii*) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

16. (*1*) The Court shall consist of the following members, namely :— Court.

Class I—Ex-officio members.

(A) (*i*) The Chancellor,
(*ii*) The Pro-Chancellor (if any),
(*iii*) The Vice-Chancellor,
(*iv*) Ex-Vice-Chancellors of the University,
(*v*) The Deans of Faculties,
(*vi*) The Registrar.

(B) (*i*) The Chief Justice of Bombay, or any other Judge of the High Court nominated by him,
(*ii*) The Minister of Education, Bombay,
[1][(*iii*) The Director of Education, Bombay State, or the Joint or a Deputy Director of Education designated by the State Government,
(*iv*) Four members designated by the State Government representing the following Departments, namely :—
(*a*) Medical or Public Health,
(*b*) Agriculture,
(*c*) Industries,
(*d*) Public Works,]
(*viii*) Vice-Chancellors of other Universities established by law in the [2][State] of Bombay,
(*ix*) Such other *ex-officio* members, not exceeding five, as may be designated by the Statutes,
(*x*) The Secretary, the Additional Secretary or the Joint Secretary to the Department of Education as the [3][State] Government may determine.

(C) (*i*) Heads of University Departments,
(*ii*) Principals of affiliated colleges,
(*iii*) Heads of recognized institutions.

[1] Clauses (*iii*) and (*iv*) were substituted for the original clauses (*iii*) to (*vii*) by Bom. 39 of 1951, s. 3, Second Schedule.
[2] This word was substituted for the word "Province" by the Adaptation of Laws Order, 1950.
[3] This word was substituted for the word "Provincial", *ibid.*

Class II—Ordinary members.

(A) Elected as specified below :—

(*i*) three members by secondary teachers of high schools from amongst such teachers,

(*ii*) four members by head masters of high schools from amongst such head masters,

(*iii*) five members by teachers from amongst themselves,

(*iv*) by public associations or bodies as under :—

[1][(*a*) two members by the Municipal Corporation of the City of Poona,]

[2]* * * * *

(*c*) one member by the Sholapur Borough Municipality,

(*d*) [3][twelve] members, one each by the Municipalities (other than [4][the Municipality specified in (*c*)] above) in each of the districts specified in Schedule II,

[5][(*e*) one member each by the District Local Boards of the districts specified in Schedule II,]

(*f*) four members, by the Bombay Legislative Assembly from amongst its members, [6][if they are not already members of the Court],

(*g*) one member by the Bombay Legislative Council from amongst its members,

(*h*) members not exceeding three, by such commercial and industrial bodies in the University area as may be designated by the Statutes, from amongst the members of such bodies,

(*i*) two members by registered Trade Unions in the University area designated by the Statutes from amongst their members,

(*j*) twenty-five members, who shall not be persons engaged in the profession of teaching, by registered graduates :

Provided that—

(*i*) every person elected under clauses (*i*) to (*iii*) and under sub-clauses [7][(*f*)], (*g*), (*h*), and (*i*) of clause (*iv*) shall continue to hold the office of a member of the Court only so long as he is a secondary teacher or head-master of a high school or a teacher or a member of the electing body or bodies, as the case may be :

[8][(*ii*) Where in exercise of the powers conferred by the proviso to sub-section (*1*) of section 4 of the Bombay Local Boards Act, 1923, the State Government has not established a district local board for any of the districts specified in Schedule II, the person or persons appointed under the proviso to sub-section (*1*) of the said section 4 of the Bombay Local Boards Act, 1923, shall be deemed to be a district local board, for the purposes of electing a member on the Court under clause (*iv*).] Bom. VI of 1923. Bom. VI of 1923.

(B) Twenty-five members nominated by the Chancellor, including distinguished educationists, women and representatives of minorities and backward communities.

(C) Such number of members as the Statutes may provide to represent [9][Part B States] singly or in groups the educational institutions in which are admitted to the privileges of the University.

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[1] This sub-clause was substituted for the original by Bom. 59 of 1949, s. 491, Appendix III.

[2] Sub-clause (*b*) was deleted, *ibid.*

[3] This word was substituted for the word "ten" by Bom. 24 of 1950, s. 2 (*1*) (*a*).

[4] These words, brackets and letter were substituted for the words, brackets and letters "the Municipalities specified in (*a*) (*b*) and (*c*)", *ibid.*

[5] This sub-clause was substituted for the original, *ibid.*, s. 2 (*1*) (*b*).

[6] These words were substituted by Bom. 30 of 1954, s. 3.

[7] The brackets and letter "(*f*)" were inserted, by Bom. 24 of 1950, s. 2 (*2*).

[8] This proviso was substituted for the original, *ibid.*, s. 2 (*3*).

[9] The words and letter "Part B States" were substituted for the words "Indian States" by the Adaptation of Laws Order, 1950.

(D) Donors to, or for the purposes of, the University, of money or property of the value of not less than one lakh of rupees.

Such donors shall, if willing to serve, be members for life subject to the provisions of section 57.

(E) One nominee of each of the bodies giving a donation to, or for the purposes of the University, of money or property of the value of not less than one lakh of rupees :

Provided that the right of making such nomination and, subject also to the provisions of section 57, the tenure of such nominee shall not extend beyond the period of twenty years from the date of the acceptance by the Executive Council of any such donation.

Explanation.—For the purposes of paragraphs (D) and (E) the value of the property means the market value of the property at the date of acceptance of the donation by the Executive Council.

(F) Such number of members, not exceeding three, as may be fixed by the Statutes, to be elected from amongst themselves by donors to the University each donating less than one lakh of rupees but not less than twenty-five thousand rupees.

(*2*) The term of office of the elected members and of the members in paragraphs (B) and (C) in *Class II* shall be five years.

Meetings of the Court.

17. (*1*) The Court shall, on a date to be fixed by the Chancellor, meet once a year at a meeting to be called the annual meeting of the Court.

(*2*) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than twenty-five members of the Court, convene a special meeting of the Court.

Powers and duties of the Court.

18. (*1*) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely :—

(*i*) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for research and for the advancement and dissemination of knowledge ;

(*ii*) to make such provision as will enable affiliated colleges and recognised institutions to undertake specialization of studies and to organize and make provision for common laboratories, libraries, museums and other equipment for teaching and research ;

(*iii*) to establish and maintain colleges, departments and institutes of research and specialized studies ;

(*iv*) to institute professorships, readerships, lecturerships and any other post of teachers required by the University ;

(*v*) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*vi*) to institute and confer degrees, titles, diplomas and other academic distinctions ;

(*vii*) to confer, on the recommendation of the Executive Council, honorary degrees, titles or other academic distinctions ;

(*viii*) to make, amend or repeal the Statutes ;

(*ix*) to consider, cancel, refer back but not amend Ordinances ;

(*x*) to consider and pass resolutions on the annual reports and annual accounts ;

(*xi*) to consider the annual financial estimates prepared by the Executive Council and pass resolutions with reference thereto ;

(*xii*) to elect office-bearers and authorities as provided in the Act and the Statutes ; and

(*xiii*) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes, Ordinances and Regulations.

(*2*) The powers and duties under clauses (*i*) to (*vii*) of sub-section (*1*) shall not be exercised except upon the recommendations made by the Executive Council and the Academic Council.

Executive Council

19. (*1*) The Executive Council shall be the executive authority of the University and shall consist of the following namely :—

(*i*) The Vice-Chancellor—*ex-officio* Chairman,

[1][(*ii*) The Director of Education, Bombay State, or the Joint or a Deputy Director of Education who is a member of the Court.]

(*iii*) Nine persons elected by the Court from amongst its members and

(*iv*) Five persons elected by the Academic Council from amongst its members to represent the different Faculties in the manner prescribed by the Statutes :

Provided that a member elected under clause (*iii*) or (*iv*) shall cease to hold office as such member if he ceases to be a member of the Court or Academic Council, as the case may be.

(*2*) No whole-time employee of the University shall be eligible for election as member of the Executive Council.

(*3*) The term of office of the elected members of the Executive Council shall be three years.

Powers and duties of the Executive Council.

20. (*1*) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Executive Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to hold, control and administer the property and funds of the University ;

(*ii*) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes ;

(*iii*) to determine the form, provide for the custody and regulate the use, of the common seal of the University ;

(*iv*) to administer funds placed at the disposal of the University for specific purposes ;

(*v*) to frame the annual financial estimates of the University and to submit them to the Court ;

(*vi*) to make provision for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University ;

(*vii*) to accept on behalf of the University bequests, donations and transfers of any moveables or immoveable property to the University ;

(*viii*) to transfer any moveable or immoveable property on behalf of the University ;

(*ix*) to manage and regulate the finances, accounts and investment of the University ;

(*x*) to make provision for the maintenance of—

(*a*) University Officers' Training Corps or other similar training Corps ;

(*b*) Students' Unions ;

(*c*) Sports and Athletic Clubs ;

(*d*) Employment Bureaux ;

[1] This clause was substituted for the original by Bom. 39 of 1951, s. 3, Second Schedule.

(*xi*) to manage colleges, departments, institutes of research or specialised studies, laboratories, libraries, museums and hostels maintained by the University ;

(*xii*) to recognize hostels ;

(*xiii*) to register high schools situate outside the Province of Bombay, as may be provided by the Statutes ;

(*xiv*) to arrange for and direct the inspection of affiliated colleges, recognize institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and in case of disregard of such instructions, to recommend modification of the conditions of their affiliation or recognition or take such other steps as it deems proper ;

(*xv*) to call for reports, returns and other information from colleges, recognized institutions or hostels ;

(*xvi*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare ;

(*xvii*) to recommend to the Court the conferment of honorary degrees, title and academic distinctions in the manner prescribed by the Statutes ;

(*xviii*) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*xix*) to appoint teachers and servants of the University, fix their emoluments, if any, and define their duties and the conditions of their service and discipline ;

(*xx*) to recognise a member of the staff of an affiliated college or recognized institution as a professor, reader, lecturer or teacher of the University and withdraw such recognition ;

(*xxi*) to appoint examiners, to fix their remuneration and to arrange for the conduct of, and for publishing the results of, the University examinations and other tests ;

(*xxii*) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances ;

(*xxiii*) to make, amend and cancel the Ordinances ;

(*xxiv*) to accept, reject or refer back Regulations framed by the Academic Council ;

(*xxv*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations ;

(*xxvi*) to exercise all powers of the University not otherwise provided for in the Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

(*2*) The Executive Council shall make a report to the Court about all acceptances or transfers of property referred to in clause (*vii*) of sub-section (*1*).

(*3*) The Executive Council shall not transfer any immovable property without the previous sanction of the Court.

(*4*) The Executive Council may by Ordinances appoint Committees to carry out its administrative work and define their constitution, functions and tenure.

Academic Council.

21. (*1*) The Academic Council shall be the academic body of the University and shall consist of the following persons. namely :—

Class I—Ex-officio.

(*i*) The Vice-Chancellor—*ex-officio* Chairman,
(*ii*) Deans of Faculties,
(*iii*) Principals of affiliated colleges,
(*iv*) Heads of recognized institutions,
(*v*) Professors and Readers appointed by the University,
(*vi*) Chairmen of the Boards of Studies.

Class II—Other members.

(*i*) One representative of the teachers in each degree college,
(*ii*) Three persons not engaged in the profession of teaching whom the Executive Council may nominate by virtue of their expert knowledge :

Provided that a person elected under sub-clause (*i*) in Class II shall continue to hold the office of a member of the Academic Council only so long as he is a teacher.

(*2*) The term of office of the members of the Academic Council other than *ex-officio* members shall be three years.

Powers and duties of the Academic Council.

22. (*1*) The Academic Council shall have the control and general regulation of, and be responsible for, the maintenance of the standards of teaching and examinations within the University.

(*2*) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to make Regulations laying down courses of study ;
(*ii*) to make Regulations regarding the special courses of study or division of subjects in constituent and other affiliated colleges and in recognized institutions ;
(*iii*) to arrange for co-ordination of studies and teaching in constituent and other affiliated colleges and in recognized institutions ;
(*iv*) to promote research within the University ;
(*v*) to make proposals for allocating subjects to the Faculties and to assign its own members to the Faculties ;
(*vi*) to make proposals for the establishment of colleges, departments, institutes of research and specialized studies, libraries, laboratories and museums ;
(*vii*) to make proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and, for prescribing the duties and fixing the emoluments of such posts ;
(*viii*) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award ;
(*ix*) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations ;
(*x*) to make Regulations prescribing equivalence of examinations ;
(*xi*) to make Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or in affiliated colleges for qualifying for degrees, titles, diplomas and other academic distinctions ;

(*xii*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations; and

(*xiii*) generally to advise the University on all academic matters.

Faculties and their functions.

23. (*1*) The University shall include the Faculties of Arts, Science, Law, Medicine, Engineering, Agriculture and such other Faculties as may be prescribed by the Statutes. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(*2*) Each Faculty shall consist of—

(*i*) members of the Academic Council who are not members of the Boards of Studies and who are assigned to the Faculty by the Academic Council, and

(*ii*) members of the Boards of Studies for the subjects comprised in the Faculty.

Explanation.—For the purposes of the assignment of members under this sub-section, the Academic Council shall not include Deans of Faculties.

(*3*) The powers and duties of the Faculties and the conditions governing the terms of offices of their members shall be as prescribed by the Statutes.

Deans of Faculties.

24. (*1*) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members. The term of office of a Dean shall be two years.

(*2*) The Dean of each Faculty shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to that Faculty.

Boards of Studies.

25. (*1*) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.

(*2*) Each Board shall consist of—

(*i*) Heads of the University Departments in the subjects for which the Board is constituted;

(*ii*) Heads of departments in the said subjects in degree colleges and recognized institutions;

(*iii*) such classes of teachers of the University in the said subjects, in such numbers and elected in such manner, as may be prescribed by the Statutes;

(*iv*) persons, who shall not be teachers of the University, to be co-opted by the Board, not exceeding such number as may be prescribed by the Statutes.

(*3*) The Chairman shall be nominated by the Vice-Chancellor from amongst the Heads of the University Departments or if there is no such University Department from amongst the Heads of departments in the degree colleges or recognized institutions in the subjects for which the Board is constituted.

(*4*) The term of office of elected or co-opted members shall be three years.

(*5*) The powers and duties of the Boards of Studies shall be as prescribed by the Statutes.

Explanation.—For the purposes of this section, a department in a degree college means a department which imparts instruction in prescribed courses up to and for the degree examination.

University Boards.

26. (*1*) The University shall establish a Board of Extra-Mural Studies, a Board for Students' Welfare and such other Boards as may be prescribed by the Statutes.

(*2*) The constitution, powers and duties of the Boards established under sub-section (*1*) shall be as prescribed by the Ordinances.

Other authorities.

27. The constitution, powers and duties of such other bodies as may be declared by the Statutes to be authorities of the University shall be as prescribed by the Statutes.

CHAPTER V.

STATUTES, ORDINANCES AND REGULATIONS.

Statutes.

28. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(*i*) conferment of honorary degrees ;

(*ii*) holding of convocations to confer degrees ;

(*iii*) powers and duties of the officers of the University ;

(*iv*) constitution, powers and duties of the authorities of the University save as provided in this Act ;

(*v*) institution and maintenance by the University of departments, colleges, institutes of research or specialized studies and hostels ;

(*vi*) acceptance and management of bequests, donations and endowments ;

(*vii*) registration of graduates and maintenance of a register of registered graduates ;

(*viii*) procedure at meetings of the authorities of the University and for the transaction of their business ; and

(*ix*) all matters which by this Act are to be or may be prescribed by the Statutes.

Statutes—their making, amendment, repeal and operation.

29. (*1*) The Statutes may be made by the Court or may be amended, repealed or added to by Statutes made by the Court, in the manner hereinafter provided.

(*2*) The Court may take into consideration the draft of a Statute either of its own motion or on a proposal by the Executive Council.

(*3*) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court.

(*4*) Such draft shall be considered by the Court at its next succeeding meeting. The Court may approve such draft and pass the Statute or may reject it or return it to the Executive Council for reconsideration either in whole or in part together with any amendments which the Court may suggest. After any draft so returned has been further considered by the Executive Council together with any amendments suggested by the Court, it shall be again presented to the Court with the report of the Executive Council thereon and the Court may then deal with the draft in any manner it thinks fit.

(*5*) Where a Statute affects the powers or duties of any officer, authority or Board of the University—

(*i*) the Executive Council shall before proposing the draft of such Statute ascertain and consider the views of the officer, authority or Board concerned ; and

(*ii*) the Court before passing any such Statute taken into consideration of its own motion shall ascertain and consider the views of the officer, authority or Board concerned and the opinion of the Executive Council.

(*6*) All Statutes passed by the Court from time to time shall be submitted to the Provincial Government and shall be liable to be cancelled by the Provincial Government within a period of one year from the date they were received by it :

Provided that before a Statute is cancelled the Court shall be given an opportunity to express its views.

Ordinances.

30. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Executive Council may make Ordinances to provide for all or any of the following matters :—

(*i*) conditions under which students shall be admitted to courses of studies for degrees, titles, diplomas and other academic distinctions ;

(*ii*) conditions of residence, conduct and discipline of students of the University ;

(*iii*) conditions governing the appointment and the duties of examiners ;

(*iv*) conduct of examinations ;

(*v*) recognition of hostels ;

(*vi*) recognition of teachers of the University ;

(*vii*) inspection of affiliated colleges, recognized institutions and hostels ;

(*viii*) mode of execution of contracts or agreements for, or on behalf of, the University ;

(*ix*) rules to be observed and enforced by colleges and recognized institutions in respect of transfer of students ;

(*x*) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances ; and

(*xi*) generally all matters for which provision is, in the opinion of the Executive Council, necessary for the exercise of the powers conferred or the performance of the duties imposed upon the Executive Council by this Act or the Statutes.

Making of Ordinances.

31. (*1*) Ordinances shall be made by the Executive Council :

Provided that no Ordinance concerning the matters referred to in clauses (*i*), (*iii*), (*iv*) and (*vi*) of section 30 or any other matter connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

(*2*) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (*1*) but may reject it or return it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(*3*) All Ordinances made by the Executive Council shall, except as provided by this Act, have effect from such date as it may direct but every Ordinance so made shall be laid before the Court and shall be considered by the Court at its next succeeding meeting.

(*4*) The Court shall have power by a resolution to cancel or to refer back but not to amend any such Ordinance. The resolution shall be passed by a majority of not less than two-thirds of the members present at such meeting, the majority comprising not less than one-half of the members of the Court.

(*5*) The Vice-Chancellor shall, on the application of not less than fifty members of the Court, suspend the operation of any such Ordinance until the Court has considered it as provided in sub-section (*3*).

Regulations and Rules.

32. (*1*) The Academic Council may, subject to the approval of the Executive Council, make Regulations, consistent with this Act, the Statutes and the Ordinances, providing for all matters which by this Act, the Statutes or the Ordinances are to be provided for by Regulations and for all other matters solely concerning itself.

(*2*) Any authority of the University specified in clauses (*iv*) to (*vii*) of section 15 and any other Board of the University may, subject to the approval of the Executive Council, make Rules, consistent with this Act, the Statutes, Ordinances and Regulations, providing for all matters solely concerning such authority or Board.

CHAPTER VI.

AFFILIATION AND RECOGNITION.

Affiliation.

33. (*1*) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Executive Council and the Academic Council—

(*a*) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established ;

(*b*) that the college is to be under the management of a regularly constituted governing body ;

(*c*) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college ;

(*d*) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence in the college or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students ;

(*e*) that due provision has been or will be made for a library ;

(*f*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in that branch of science in a properly equipped laboratory or museum ;

(*g*) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of students ;

(*h*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working ; and

(*i*) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith reported to the Executive Council.

(*2*) On receipt of a letter of application under sub-section (*1*), the Executive Council shall—

(*a*) direct a local inquiry to be made by a competent person or persons authorized, by the Executive Council in this behalf in respect of the matters referred to in sub-section (*1*) and such other matters as may be deemed necessary and relevant ;

(*b*) make such further inquiry as may appear to it to be necessary ; and

(*c*) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the results of any inquiry under clauses (*a*) and (*b*).

(*3*) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Executive Council relating thereto to the Provincial Government which, after such inquiry as may appear to it necessary, shall grant refuse the application or any part thereof.

(*4*) Where the application or any part thereof is granted, the order of the Provincial Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(*5*) As soon as possible after the Provincial Government makes its order, the Registrar shall submit to the Court a full report regarding the application, the action taken thereon under sub-sections (*2*) to (*4*) and of all proceedings connected therewith.

(*6*) An application under sub-section (*1*) may be withdrawn at any time before an order is made under sub-section (*3*).

Extension of affiliation.

34. Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 33 shall, so far as may be, be followed.

Recognition of institutions of research and specialized studies.

35. (*1*) The Executive Council shall have the power, after consultation with the Academic Council, to recognize as a recognized institution any institution of research of specialized studies other than a college.

(*2*) An institution applying for recognition under this section shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely :—

(*a*) constitution and personnel of the managing body ;

(*b*) subjects and courses in regard to which recognition is sought ;

(*c*) accommodation, equipment and the number of students for whom provision has been or is proposed to be made ;

(*d*) the strength of the staff, their qualifications and salaries and the research work done by them ;

(*e*) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(*3*) Before taking the application into consideration the Executive Council may call for any further information which it may deem necessary.

(*4*) If the Executive Council decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorized by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Executive Council shall, after consultation with the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Executive Council shall specify the subjects and the courses of instruction in respect of which the institution is recognized and make a report to that effect to the Academic Counicl and the Court at their next succeeding meetings. Where the application or any part thereof is refused the grounds of such refusal shall be stated.

Inspection of colleges and reports.

36. (*1*) Every affiliated college and recognized institution shall furnish such reports, returns and other information as the Executive Council after consulting the Academic Council may require to enable it to judge of the efficiency of the college or institution.

(*2*) The Executive Council shall cause every such college or institution to be inspected from time to time by one or more competent persons authorized by the Executive Council in this behalf.

(*3*) The Executive Council may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (*1*) of section 33 and sub-section (*2*) of section 35.

Withdrawal of affiliation.

37. (*1*) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (*1*) of section 33 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(*2*) A motion for the withdrawal or the modification of such rights shall be initiated only in the Executive Council. The member of the Executive Council who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(*3*) Before taking the said motion into consideration, the Executive Council shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the Principal of the college concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Executive Council:

Provided that the period so specified may, if necessary, be extended by the Executive Council.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Executive Council, after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the Executive Council in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall make a report to the Court.

(*5*) On receipt of the report under sub-section (*4*) the Court shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Court recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Court, such majority comprising not less than one-half of the members of the Court.

(*6*) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Executive Council and the Court, relating thereto, to the Provincial Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit.

(*7*) Where, by an order made under sub-section (*6*) the rights, conferred by a affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

Withdrawal of recognition.

38. (*1*) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interest of education.

(*2*) A motion for such withdrawal or suspension shall be initiated only in the Executive Council. The member of the Executive Council who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(*3*) Before taking the said motion into consideration, the Executive Council shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Executive Council :

Provided that the period so specified may, if necessary, be extended by the Executive Council.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Executive Council, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by the Executive Council in this behalf, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall make a report to the Court if the Executive Council decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two-thirds of the members present at the meeting of the Executive Council.

(*5*) On receipt of the report under sub-section (*4*) the Court shall, after such further inquiry, if any, as may appear to it to be necessary, decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Court to that effect is supported by a majority of at least two-thirds of the members present at the meeting of the Court, such majority comprising not less than one-half of the members of the Court.

CHAPTER VII.

ORGANIZATION WITHIN THE POONA AREA AND FOR POSTGRADUATE TEACHING.

Constituent colleges and institutions.

39. (*1*) All colleges within the Poona area which are admitted to the privileges of the University under sub-section (*3*) of section 5 and all colleges within the said area which may thereafter be affiliated to the University shall be the constituent colleges of the University.

(*2*) All institutions within the Poona area recognized under sections 35 and 65 shall be the constituent recognized institutions of the University.

(*3*) The relations of the constituent colleges and constituent recognized institutions with the University shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the constituent degree colleges and constituent recognized institutions :—

(*i*) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service ;

(*ii*) to approve the appointments of the teachers made by such colleges and institutions ;

(*iii*) to require each such college and institution to contribute a prescribed quota of recognized teachers in any subject for teaching on behalf of the University ;

(*iv*) to co-ordinate and regulate the facilities provided and expenditure inourred by such colleges and institutions in regard to libraries, laboratories and other equipments for teaching and research ;

(*v*) to require such colleges and institutions, when necessary, to confine the enrolment of students to certain subjects ;

(*vi*) to levy contributions from such colleges and institutions and make grants to them ; and

(*vii*) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time.

Teaching within the Poona area and post-graduate teaching.

40. (*1*) Within the Poona area, all instruction teaching and training beyond the stage of the Intermediate examinations and within the University area all post-graduate instruction, teaching and training shall be conducted by the University and shall be imparted by the teachers of the University :

Provided that a constituent degree college or a constituent recognized institution shall supplement such teaching by tutorial or other instruction, teaching or training in the manner to be prescribed by the Regulations to be made by the Academic Council.

(*2*) For the purpose of organizing and co-ordinating the instruction, teaching and training within the Poona area, and the post-graduate instruction, teaching and training in the University area, there shall be constituted a Board to be known as the Board of University Teaching in Poona. The constitution, powers and duties of the Board shall be as prescribed by the Statutes.

CHAPTER VIII.

ENROLMENT AND DEGREES.

Qualification for enrolment of students of the University.

41. No student shall be enrolled as a student of the University unless he has passed—

[1][(*i*) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board in such subjects and with such standards of attainments as may be prescribed by the Statutes, or]

(*ii*) the Entrance Examination, if any, which may be instituted by the University with the consent of the Provincial Government, and held in such subjects and in such manner as may be prescribed by the Statutes, or

(*iii*) any other examination prescribed as equivalent to the examinations referred to in clauses (*i*) and (*ii*),

and possesses such further qualification, if any, as may be prescribed by the Statutes.

Residence of students.

42. Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Ordinances.

Degrees, titles, diplomas and other academic distinctions.

43. The Court may institute and confer such degrees, titles, diplomas and other academic distinctions as may be prescribed by the Statutes.

[1] This clause was substituted for the original by Bom. 49 of 1948, s 35.

Honorary degree.

44. If not less than two-thirds of the members of the Executive Council recommend that an honorary degree, title or other academic distinction be conferred on any person on the ground that he is in their opinion by reason of eminent position and attainments, a fit and proper person to receive such degree, title or other academic distinction and where their recommendation is supported by a majority of not less than two-thirds of the members of the Court present at a meeting of the Court, such majority comprising not less than one-half of the members of the Court, and the recommendation is confirmed by the Chancellor, the Court may confer on such person the honorary degree, title or other academic distinction so recommended without requiring him to undergo any examination.

Removal from membership of University and withdrawal of degree or diploma.

45. (*1*) The Chancellor may, on the recommendation of the Executive Council and of the Court supported by a majority of not less than two-thirds of the members of each body present at its meeting such majority comprising not less than one-half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree if he has been convicted by a Court of Law of any offence which, in the opinion of the Executive Council and the Court, is a serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

(*2*) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

CHAPTER IX.

Committees.

Committee of Selection for appointment of teachers of the University.

46. (*1*) No person shall be appointed as a teacher of the University except on the recommendation of a Committee of Selection constituted for the purpose.

(*2*) The members of the Committee shall be—

(*i*) the Vice-Chancellor— *ex-officio* Chairman ;

(*ii*) four persons having special knowledge of the subject for which the teacher is to be appointed, to be selected as follows :—

(*a*) one by the Academic Council who shall be a member of the Faculty in which the subject is comprised ;

(*b*) one by the Academic Council and two by the Executive Council, who shall not be members of the Court, members of Faculties or teachers.

(*3*) The Committee shall investigate the merits of the various candidates, and shall recommend to the Executive Council the names, if any, of persons whom it considers suitable for the post, arranged in the order of merit.

(*4*) Out of the persons so recommended, the Executive Council shall make the final selection :

Provided that where the Executive Council proposes to make the appointment otherwise than in accordance with the order of merit arranged by the Committee, the Executive Council shall record its reasons and submit its proposal for the sanction of the Chancellor.

Committee for recognition of

47. (*1*) No person shall be recognized as a teacher of the University except on the recommendation of a Committee constituted for the purpose.

teachers of the University.

(*2*) The members of the Committee shall be—

(*i*) The Vice-Chancellor—*ex-officio* Chairman ;

(*ii*) The Head of the University Department, if any ;

(*iii*) Four persons having special knowledge of the subject for which the teacher is to be recognized, to be selected as follows, namely :—

(*a*) Two by the Executive Council who shall not be members of the Court, members of the Faculties or teachers,

(*b*) Two by the Academic Council from amongst its members.

Appointment of examiners Committee.

48. (*1*) A Committee for each Faculty shall be formed every year for the purpose of drawing up lists for appointments to University examinerships.

(*2*) The members of the Committee shall be—

(*i*) The Vice-Chancellor—*ex-officio* Chairman ;

(*ii*) The Lean of the Faculty ;

(*iii*) Two members appointed by the Academic Council ;

(*iv*) Two members appointed by the Executive Council.

(*3*) The Committee shall draw up the lists from amongst persons included in panels to be prepared by the Boards of Studies. The lists so drawn up shall be submitted for approval to the Academic Council and the Executive Council. The Executive Council shall make the appointments of examiners on the advice of the Academic Council :

Provided that no change in the lists shall be suggested or made by the Academic Council or the Executive Council except by passing a special resolution stating the specific grounds on which each change suggested or mad is based.

(*4*) If any examiner is unable to act for any cause and a fresh appointment cannot be made in time by the Executive Council, the Vice-Chancellor shall appoint another examiner to fill the vacancy and shall report such appointment to the Executive Council.

Committees.

49. All the authorities of the University shall have power to appoint committees. Such committees may include persons who are not members of the authority appointing the committee.

CHAPTER X.

FINANCE.

University Fund.

50. (*1*) The University shall establish a fund to be called the University Fund.

(*2*) The following shall form part of, or be paid into, the University Fund :—

(*a*) any contribution or grant by the [1][State] Government,

(*b*) the income of the University from all sources including income from fees and charges.

(*c*) bequests, donations, endowments and other grants, if any.

(*3*) The University Fund shall be kept in any scheduled bank as defined in the Reserve Bank of India Act, 1934, [2][or in a co-operative bank approved by the State Government for the purpose or invested] in securities authorized by the Indian Trusts Act, 1882, at the discretion of the Executive Council. II of 1934. II of 1882

Annual accounts and Financial estimates.

51. (*1*) The annual accounts of the University shall be prepared under the direction of the Executive Council and shall be submitted to the [1][State] Government for audit.

[1] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[2] These words were substituted for the words "or invested" by Bom. 30 of 1954, s. 4.

(*2*) The accounts when audited shall be published by the Executive Council in the *Official Gazette* and copies thereof shall, together with the copies of the Audit Report, be submitted to the Court and to the [1][State] Government.

(*3*) The Executive Council shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(*4*) The annual accounts and the financial estimates shall be considered by the Court at its annual meeting and the Court may pass resolutions with reference thereto and communicate the same to the Executive Council which shall take them into consideration and take such action thereon as it thinks fit, and finally adopt the accounts and financial estimates. The Executive Council shall inform the Court, at its next meeting, of the action taken by it or of its reasons for taking no action.

Annual Report.

52. The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at the annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such action as it thinks fit ; and the Executive Council shall inform the Court at its next meeting of the action taken by it or of its reasons for taking no action.

CHAPTER XI.

SUPPLEMENTARY PROVISIONS.

Conditions of service.

53. Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned.

Tribunal of arbitration.

54. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940, and the provisions of that Act shall apply accordingly.

X of 1940.

Pension, Insurance and Provident Fund.

55. The University shall make adequate provisions for the benefit of its officers, teachers and other servants in matters of insurance, pension and provident fund or for other benefits as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

Election to be by system of proportional representation.

[2][**56.** Every election to the office of the Vice-Chancellor or any authority of the University and every recommendation for the nomination to the office of the Vice-Chancellor made under this Act shall be made by the system of proportional representation by means of a single transferable vote by ballot in such manner as may be prescribed by the Statutes.]

[1] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
[2] Section 56 was substituted for the original by Bom. 30 of 1954, s. 5.

Vacating of office.

57. (*1*) Any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

(*2*) Any member of any authority or body of the University shall cease to be a member on his being convicted by a Court of Law, of an offence which involves moral turpitude.

Filling of casual vacancies.

58. When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred :

Provided that, if the vacancy be of an elected member of the Court and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.

Proceedings not invalidated by vacancies.

59. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership.

Disputes as to constitution of University authority or body.

60. If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or as to whether a person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter [1][may be referred on a petition by any person or body directly affected or *suo motu* by the Vice-Chancellor] to the Chancellor, who shall, after taking such advice as he deems necessary, decide the question and his decision shall be final :

[2][Provided that such reference shall be made by the Vice-Chancellor to the Chancellor upon a requisition in writing signed by not less than ten members of the Court.]

Protection of acts and orders.

61. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

CHAPTER XII.

TRANSITORY PROVISIONS.

Completion of courses of students in colleges affiliated to the Bombay University.

62. Notwithstanding anything contained in this Act, or the Statutes, Ordinances and Regulations made thereunder, any student of a college situate within the University area and affiliated to the University of Bombay who immediately before the date on which section 5 came into force was studying or was eligible for any examination of the University of Bombay shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the University of Bombay.

Appointment of first Vice-Chancellor.

63. Notwithstanding anything contained in section 11, the first Vice-Chancellor shall be an honorary officer who shall be appointed by the [3][State] Government as soon as practicable after the passing of this Act, for a period not exceeding three years and on such conditions as the [3][State] Government thinks fit.

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[1] These words were substituted for the words "shall be referred" by Bom. 30 of 1954, s. 6(*a*).
[2] This proviso was added, *ibid* s. 6(*b*).
[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Appointment of firs Registrar.

64. Notwithstanding anything contained in section 13, the first Registrar shall be appointed by the Provincial Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such conditions as the Provincial Government thinks fit.

Transitory powers of the first Vice-Chancellor.

65. (*1*) It shall be the duty of the first Vice-Chancellor—

(*a*) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 35, and

(*b*) to make arrangements for constituting the Court, the Executive Council, the Academic Council and other authorities of the University,

within six months after the date of his appointment or such longer period not exceeding one year as the Provincial Government may by notification in the *Official Gazette* direct.

(*2*) The first Vice-Chancellor shall with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the Provincial Government—

(*a*) subject to the provisions of the Act and the approval of the Chancellor,—

(*i*) make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the transaction of their business,

(*ii*) draw up any rules that may be necessary for regulating the method of election to the aforesaid authorities,

(*b*) frame the first Statutes, Ordinances and Regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their functions.

(*3*) The authorities constituted under sub-section (*1*) shall commence to exercise their functions on such date or dates as the Provincial Government may by notification in the *Official Gazette* direct.

(*4*) The Statutes, Ordinances and Regulations framed by the first Vice-Chancellor shall when confirmed by the respective authorities be published in the *Official Gazette*.

First appointment of the officers and teachers of the University.

66. (*1*) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions—

(*a*) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor,

(*b*) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Public Instruction and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(*2*) Any appointment made under sub-section (*1*) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit:

Provided that no such appoint ent shall be made until financial provision has been made therefor.

Extra-ordinary powers of the first Vice-Chancellor.

67. The Vice-Chancellor appointed under section 63 shall have powers until the Executive Council commences to exercise its functions—

(*a*) with the previous approval of the Chancellor to make additional statutes to provide for any matter not provided for by the first Statutes,

(*b*) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University,

(*c*) subject to the control of the Provincial Government to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force,

(*d*) with the sanction of the Chancellor to make for a period not exceeding three years such appointments as may be necessary to enable this Act or any part thereof to be brought into force,

(*e*) to appoint any Committee as he may think fit, to discharge such of his functions as he may direct, and

(*f*) generally to exercise all or any of the powers conferred on the Executive Council by or under the provisions of this Act.

Removal by Provincial Government of difficulties at the commencement of the Act.

68. If any difficulty arises as to the first constitution or re-constitution of any authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the Provincial Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

SCHEDULE I.

[*See* section 2 (*8*).]

Areas comprised in—

I. Poona City.

II. *The following Villages in Poona City Taluka :—*

1. Bhamburda (Shivaji Nagar).
2. Aundh.
3. Bopodi.
4. Yeravda.
5. Ghorpadi.
6. Wanavadi.
7. Nundhava.
8. Parvati.
9. Yerandavne.

III. *The following Villages in Mulshi Petha :—*

1. Thergaon.
2. Tathavade.
3. Hinjawadi.
4. Man.
5. Wakad.
6. Sus.
7. Mahalunga.
8. Nanda.
9. Bavadhan Bk.
10. Bavadhan Kd.
11. Bhugaon.
12. Bhukum.
13. Lavale.
14. Chande.

IV. *The following Villages in Haveli Taluka :—*

1. Bhosari.
2. Dapodi.
3. Charholi Bk.
4. Dighi.
5. Kalas.
6. Bopkhel.
7. Vadgaon Shinde.
8. Lohagaon.
9. Dhanori.
10. Wagholi.
11. Wadgaon Sheri.
12. Kharadi.
13. Manjari Kd.
14. Manjari Bk.
15. Hadapsar.
16. Phursungi.
17. Kondhave Kd.
18. Kondhave Bk.
19. Mahamad Wadi.
20. Urali Devachi.
21. Undari.
22. Pisoli.
23. Katraj.
24. Ambegaon Kd.
25. Ambegaon Bk.
26. Dhankavadi.
27. Hingne Kd.
28. Hingne Bk.
29. Kothrud.
30. Vadgaon Bk.
31. Vadgaon Kd.
32. Varja.
33. Nanded.
34. Narhe.
35. Dhayari.
36. Kirkatwadi.
37. Nandoshi.
38. Gorha Bk.
39. Donja.
40. Khadakwasla.
41. Kopra.
42. Ahira.
43. Kondhava Dhavda.
44. Shivane.
45. Pashan.
46. Baner.
47. Pimple Nilakh.
48. Balewadi.
49. Pimple Saudagar.
50. Pimple Gurav.
51. Pimpri Vagheri.
52. Rahatni.
53. Chinchwad.
54. Akurdi.
55. Sangavi.

V. Cantonment of Poona.

VI. Cantonment of Kirkee.

SCHEDULE II.

[*See* section 2 (*16*).]

[1][PART I]

1. Poona District including the area specified in Schedule I.
[2][2. Satara North District.]
3. Ahmednagar District.
4. Sholapur District.
5. Nasik District.
6. Ratnagiri District.
7. Kolaba District.
8. Thana District.
9. East Khandesh District.
10. West Khandesh District.

[3][PART II.

11. Satara South District.
12. Kolhapur District.]

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[1] This sub-heading was inserted by Bom. 24 of 1950 s. 3 (*1*).
[2] This entry was substituted for the original, *ibid*, s. 3 (*2*).
[3] This portion was inserted, *ibid*, s. 3 (*3*).